IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

WP(C).No. 24034 of 2007(J)

PETITIONER:

MANAMAEL UTHUPPU, AGED 65 YEARS,
S/O. PYLO ULAHANNAN, "USHUS", PONNANI TALUK,
PONNANI AMSOM, PALLIPRAM DESOM,
MALAPPURAM DISTRICT.

BY ADV. SRI.P.CHANDRASEKHAR

RESPONDENTS:

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1. THE SPECIAL DEPUTY TAHSILDAR (R.R.),
K.S.F.E. LTD., PALAKKAD TOWN BRANCH,
PALAKKAD.

2. THE SPECIAL DEPUTY TAHSILDAR (R.R.),
K.S.F.E. LTD., M.D.COMPLEX, KOTTAYAM.

3. THE KERALA STATE FINANCIAL ENTERPRISES,
THRISSUR, REPRESENTED BY ITS MANAGING DIRECTOR.

4. E.P.KURIAKOSE, S/O. PYLO YOHANNAN,
MANALEL HOUSE, VANIAMMBALAM P.O., POROOR,
WANDOOR, MALAPPURAM DISTRICT.

5. K.J.CHANDY, S/O. JOSEPH,
MANALEL, KUMARAKAM P.O., KOTTAYAM DISTRICT.

BY ADV. SHRI.T.NAVEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 24034 of 2007

Dated, this the 7th day of August, 2007

J U D G M E N T

Since petitioner has undertaken to clear the balance arrears in instalments, and in view of the substantial repayment made by the petitioner as evidenced by Ext.P4 receipt dated 16/07/2007, this writ petition is disposed of granting 12 equal monthly instalments to the petitioner to clear the balance arrears with interest, first of which will be paid on or before 15/09/2007 and balance on or before 15th day of 11 succeeding months. Recovery against the petitioner and the sureties will be kept in abeyance for payment as above. However, if petitioner commits default in making payment of any of the instalments, the instalment facility granted will stand automatically vacated on first default and respondents can proceed to recover the balance arrears.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg